

Remarks/Arguments

Claim 1 has been amended. No new claims have been added. No claims have been canceled. Claims 1-8 remain pending in this application. Reexamination and reconsideration of the application as amended are respectfully requested.

Rejections under 35 U.S.C. §103(a) of Claim 2

The Examiner rejected independent claim 2 under 35 U.S.C. § 103(a) as being unpatentable over *Stedman et al.*, U.S. Patent No. 6,081,837, in view of *Imai et al.*, U.S. Patent No. 6,148,334. Applicant respectfully traverses this rejection for the reasons set forth below.

The Examiner's rejection of independent claim 2 under 35 U.S.C. § 103(a) is reproduced here in its entirety as follows:

“3. As per claim 2 *Stedman-Imai* disclosed a data structure embodied in a computer-readable storage medium, said data structure representing information describing a file system connection between a local file system located on a local system and a host file system located on a host system, wherein said data structure comprises a file system connection descriptor comprising: a local system data structure representing the local file system (*Imai*, col. 7, lines 4-23); a host system data structure representing the host file system: and a mapping data structure representing a mapping between the local file system and the host file system (*Imai*, col. 8, lines 11-23).”

“To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).” MPEP 2143, Basic Requirements of a *Prima Facie* Case of Obviousness.

The Examiner’s rejection of independent claim 2 under 35 U.S.C. § 103(a) fails to establish a *prima facie* case of obviousness. Relative to the first criteria that there must be some suggestion or motivation to modify the reference or to combine reference teachings, the Examiner does not assert any suggestion or motivation to modify the reference *Imai et al.* or to combine reference teachings of *Imai et al.* with those of *Stedman et al.*. Thus, the Examiner’s rejection of independent claim 2 fails to establish a *prima facie* case of obviousness.

Relative to the second criteria that there must be a reasonable expectation of success, the Examiner does not assert any reasonable expectation of success. Thus, the Examiner’s rejection of independent claim 2 fails to establish a *prima facie* case of obviousness.

Relative to the third criteria that the prior art reference or references when combined must teach or suggest all the claim limitations, the Examiner does not assert that the reference *Imai et al.* teaches or suggests all the claim limitations, nor does the Examiner assert that the

Imai et al. reference when combined with the *Stedman et al.* reference teaches or suggests all the claim limitations. The Examiner only asserts that *Imai et al.* teaches the first element and third elements of independent claim 2. The Examiner makes no assertions as to either *Imai et al.* or *Stedman et al.* teaching or suggesting the second element of independent claim 2. Thus, the Examiner's rejection of independent claim 2 fails to establish a *prima facie* case of obviousness. As the Examiner has not established a *prima facie* case of obviousness, Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejection of independent claim 2.

Rejections under 35 U.S.C. §103(a) of Claims 3-8

The Examiner rejected dependent claims 3-8 under 35 U.S.C. § 103(a) as being unpatentable over *Stedman et al.*, U.S. Patent No. 6,081,837, in view of *Imai et al.*, U.S. Patent No. 6,148,334. Applicant respectfully traverses this rejection for the reasons set forth below.

Relative to dependent claims 3-8, these dependent claims depend from independent claim 2. If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Since these dependent claims depend from independent claim 2, and Applicant believes he has successfully traversed the Examiner's rejection of independent claim 2, Applicant respectfully requests that the Examiner reconsider and withdraw the rejections of dependent claims 3-8.

Rejections under 35 U.S.C. §103(a) of Claim 1

The Examiner rejected independent claim 1 under 35 U.S.C. § 103(a) as being unpatentable over *Stedman et al.*, U.S. Patent No. 6,081,837, in view of *Imai et al.*, U.S. Patent No. 6,148,334. Applicant respectfully traverses this rejection for the reasons set forth below.

“The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure.” *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).” MPEP 2143, Basic Requirements of a *Prima Facie* Case of Obviousness.

The teaching or suggestion that the Examiner asserts to make the claimed combination of independent claim 1 is in Applicant's disclosure, not in the prior art. The Examiner asserts that the teaching or suggestion is “to reduce the cost and time in terms of linking host to client and providing using tagging to enhance the connection capability between two systems.” However, relative to cost and time, Applicant's disclosure at page 6, lines 15-17 reads:

“As the above demonstrates, conventional configuration of host workstation connectivity is complex with many opportunities for errors. Such complexity may also affect the performance and reliability of conventional host workstation connectivity.”

Relative to tagging to enhance the connection capability between two systems, Applicant's disclosure at page 7, lines 11-15 reads:

“One aspect of a preferred embodiment of the present invention encodes information describing a file system connection between a local system and a host system in a metalanguage format comprising one or more tags, each tag having an identifier and a set of one or more attributes, wherein the encoded information comprises a file system connection descriptor which can be parsed according to the metalanguage tags.”

Also relative to tagging to enhance the connection capability between two systems, Applicant's disclosure at page 8, lines 21-26 reads:

“Another aspect of a preferred embodiment of the present invention encodes the file system connection descriptor in a tagged metalanguage document comprising one or more tags, each tag having an identifier and a set of one or more attributes. Another aspect of a preferred embodiment of the present invention provides that the tagged metalanguage is Extensible Markup Language (XML).”

As the Examiner's rejection of independent claim 1 has not established in the prior art, and not in applicant's disclosure, a teaching or suggestion to make the claimed combination of independent claim 1 and the reasonable expectation of success, the Examiner's rejection of independent claim 1 fails to establish a *prima facie* case of obviousness. As the Examiner has not established a *prima facie* case of obviousness, Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejection of independent claim 1.

Relative to the third criteria of a *prima facie* case of obviousness that the prior art reference or references when combined must teach or suggest all the claim limitations, the combination asserted by the Examiner does not teach or suggest all the claim limitations of independent claim 1. Regarding claim 1, the Examiner argues that the combination of *Stedman et al.* (column 19, lines 53-67 and column 20, lines 1-25) and *Imai et al.* (column 7, lines 3-20 and column 24, lines 8-44) teaches the file system connection descriptor of the present invention. However, *Stedman et al.* (column 19, lines 53-67 and column 20, lines 1-25) teaches a session ID which is a communication session descriptor or a communication session connection descriptor, but[↑] definitely not a file system connection descriptor. The session ID is merely a unique identifier of a particular communication session between a local system and a host system. The session ID is not a file system connection descriptor as the session ID is not a local system data structure representing the local file system. Furthermore, the session ID is not a file system connection descriptor as the session ID is not a host system data structure representing the host file system. Finally, the session ID is not a file system connection descriptor as the session ID is not a mapping data structure representing a mapping between the local file system and the host file system.

In particular, relative to the session ID which identifies a communications link, *Stedman et al.* teaches:

“The RUMBA® connectivity software, developed by Wall Data Incorporated, is a computer program that establishes a communications link between a PC and a host computer. The RUMBA software allows the user of a PC to connect to a host computer

in order to view stored data and enter new data. RUMBA provides a window on the PC within which an operator can access and manipulate data from a host computer. The communications link and window are referred to as a RUMBA session.” (column 1, lines 37-45)

“The invention also provides for multiple communication sessions, each communication session having one browser application, one host extension object, one Display control, and one host computer. A session ID is associated with each communication session. The session ID is inserted in the Hypertext Link Addresses that are sent from the server computer to the client computer. When the server computer receives a Hypertext Link Address from the client computer, the session ID is extracted and used to identify the particular host extension that corresponds to the originating browser application. The command is then forwarded to the particular corresponding host extension.” (column 3, lines 38-49)

Imai et al. also fails to teach the file system connection descriptor of the present invention. Although *Imai et al.* teaches a network connection which may be used for a file transfer, and although *Imai et al.* teaches a list of files to be transferred from a host or server, *Imai et al.* fails to teach the file system connection descriptor of the present invention. The list of files to transfer is not a file system connection descriptor as the list of files to transfer is not a local system data structure representing the local file system. Furthermore, the list of files to transfer is not a file system connection descriptor as the list of files to transfer is not a mapping data structure representing a mapping between the local file system and the host file system.

In particular, relative to the network connection and list of files to transfer, *Imai et al.*

teaches:

“The file requesting client 120 includes a connection unit 131 for setting up a connection with the file server 110, a file request unit 132 for requesting a file to the file server 110, a file receiving unit 133 for receiving a file requested from the file request unit 132, a file storing unit 134 for storing a file received by the file receiving unit 133 into a storage medium, a file display unit 135 for displaying a file requested by a user, a request handling unit 136 for handling requests from the user, and a disconnection unit 137 for carrying out a processing to finish a communication with the file server 110 and disconnect a network connection.” (column 7, lines 4-14)

“In the file requesting client 120, the connection unit 131 carries out a processing for enabling the communication by HTTP with the file server 110 which is connected at the communication device 127 such as a modem or an infrared interface. Then, a menu transmitted from the file server 110 in response to a menu request from the file requesting client 120 is received at the file receiving unit 133. When a file is selected from the menu by the user and a user's request is entered, this request is handled at the request handling unit 136. The file request unit 132 then transmits a file request 140 according to this handled request. ” (column 7, lines 34-44)

“When a file corresponding to the file request 140 from the file request unit 132 is transmitted from the file server 110, this file is received at the file receiving unit 133. This received file is then stored into the cache region 121a of the storage medium 121 by the file storing unit 134. In addition, when an information received at the file receiving

unit 133 is a file requested by the user, this file is displayed by the file display unit 135.”

(column 7, lines 51-56)

“After the connection processing between the file server 110 and the file requesting client 120 is completed, the file requesting client 120 is now connected with the file server 110 by the HTTP, and a menu which is a list of files that can be provided by the file server 110 is requested by a menu request 603. In response to the menu request 603, the file server 110 transmits a menu to the file requesting client 120 by a menu transmission 604. Here, the menu is given as home pages available at the file server 110 or pages that can be reached by tracing links from these home pages. When the user selects a desired file from the menu, and a file list request 605 for the selected file is sent to the file server 110. At the file server 110, when the file list request 605 from the file requesting client 120 is received, the file list corresponding to the selected file is sent to the file requesting client 120 by a file list transmission 606.” (column 8, lines 40-55)

Even if one were to combine the teachings of *Stedman et al.* and *Imai et al.*, the combination still fails to teach or suggest the present invention as the combination merely results in a network connection used for transferring a list of files wherein the network connection is associated with a session ID identifying the network connection. As the Examiner’s rejection of independent claim 1 has not established the third criteria of a *prima facie* case of obviousness that the prior art reference or references when combined must teach or suggest all the claim limitations, the Examiner’s rejection of independent claim 1 fails to establish a *prima facie* case of obviousness. As the Examiner has not established a *prima facie* case of obviousness,

Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejection of independent claim 1.

Conclusion

Applicant therefore respectfully requests that the Examiner reconsider all currently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this Application, the Examiner is invited to telephone the undersigned at the number provided. Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,

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